

REMARKS

This amendment is being filed in response to the Office Action having a mailing date of June 3, 2005. Claims 1-9, 11-12, and 15 are amended as shown. Claims 10 and 13-14 are canceled herein without prejudice. New claims 16-23 are added. No new matter has been added. With this amendment, claims 1-9, 11-12, and 15-23 are pending in the application.

In the Office Action, the Examiner rejected claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by Nilsson (U.S. Patent No. 6,605,935). Claim 15 was objected to as being dependent upon a rejected base claim, but the Examiner indicated that claim 15 would be allowable if rewritten in independent form to include the limitations of its base claim. The Examiner stated that the prior art of record does not disclose the symmetrization element having the recited transistors. The applicants thank the Examiner for this indication of allowable subject matter.

Accordingly, claim 15 as been rewritten in independent form and is now allowable. Its respective base claims 10 and 13-14 are canceled. The claims that previously depended directly or indirectly on claim 10 have been amended to be dependent on newly independent claim 15. These dependent claims have also been further amended to clarify the recitations contained therein (including providing antecedent basis), and are now allowable as well.

Independent claim 1 is amended to include the distinctive subject matter of the symmetrization element having the transistors, and is now therefore allowable. The claims that depend directly or indirectly on claim 1 have also been further amended to clarify the recitations contained therein (including providing antecedent basis), and are now allowable as well.

Independent claim 9 is amended to include the distinctive subject matter of the symmetrization element having the transistors, and is now therefore allowable.

In the Office Action, the Examiner objected to claims 5-8 as “being of improper dependent form.” In response to this objection, the applicants have rewritten claims 5 and 8 into independent form. Furthermore, the applicants have added the recitation of the symmetrization element having the transistors into these newly independent claims 5 and 8, and claims 5 and 8 are now therefore allowable. The claims that depend directly or indirectly on claim 5 have also

been further amended to clarify the recitations contained therein (including providing antecedent basis), and are now allowable as well.

New claims 16-20 are added. For example, new independent claim 16 is directed towards a phase difference detector apparatus that includes the distinctive symmetrization element having the transistors, and is therefore allowable. The new claims that depend on independent claim 16 are allowable as well.

New dependent claims 21-23 are also added. The appropriate fee to cover payment for the newly independent claims is included with this amendment.

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

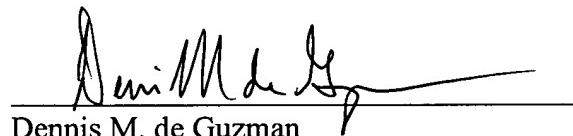
If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Application No. 10/797,621
Reply to Office Action dated June 3, 2005

All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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